

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:		:	
John C. Montagna et al.		:	
		:	
Conf. No.:	7063	:	Group Art Unit: 1733
		:	
Appln. No.:	10/748,469	:	Examiner: Jessica L. Ward
		:	
Filing Date:	December 30, 2003	:	Attorney Docket No.: D0447-43US
		:	
Title:	METHOD OF MANUFACTURING COMPOSITE VEHICLE PANELS		

RESPONSE TO COMMUNICATION CONCERNING
NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION

This is in response to the Notice of Improper Request for Continued Examination (“Notice”), mailed May 12, 2008. This response is being timely submitted by May 23, 2008.

The following documents are enclosed with this response;

- (1) A copy of the Notice;
- (2) A response to the arguments set out in the final Office Action mailed April 23, 2008, in the form of a copy of the Response filed by the Applicant on February 28, 2008 which has never been considered by the Examiner; and
- (3) A copy of the previously filed Request for Continued Examination, electronically filed with proper fee on May 7, 2008, to which the Notice is in response.

As was stated in the prior-filed RCE, the RCE was filed at the instruction of Examiner Fischer to obtain entrance of the February 28th response into the record and consideration by the Examiner. The Examiner, in a telephone call to the undersigned, stated that the February 28th response would not be entered into the record because the prior Office Action (dated December 28th 2007) was a final rejection, despite being noted on the cover page and entered into PAIR as a non-final rejection. Subsequently, the Examiner re-issued the December 28th Office Action as a “final”; in response, the Applicants filed the RCE.

Upon receipt of the Notice, the undersigned again contacted the Examiner. He stated that although Applicants' actions were technically correct, the best course of action to avoid the "technicality" was to resubmit the February 28th Office Action in response to the Notice. Examiner Fischer also confirmed that no additional fees would be due, since the RCE fee was paid on May 7 (upon RCE submission).

Accordingly, it is believed no fees are due with this response; however, in the event that a fee is due, the Commissioner is authorized to debit such fee to Deposit Account No. 503541 under billing no. D0447.0043.

CORRESPONDENCE ADDRESS

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22 May 2008
(Date)

By:

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